



3738

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PTO/SB/21 (08-00)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/991,469
	Filing Date	November 21, 2001
	First Named Inventor	James G. WHAYNE
	Group Art Unit	3738
	Examiner Name	To Be Assigned
Total Number Of Pages In This Submission	16 pages + 9 references	Attorney Docket No. 441742001320

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018 Johney U. Han (Registration No. 45,565)
Signature	
Date	March 5, 2002

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Patricia Ellison

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the application of:

James G. WHAYNE

Serial No.: 09/991,469

Filing Date: November 21, 2001

For: DISTAL ANASTOMOSIS SYSTEM

Examiner: To Be Assigned

Group Art Unit: 3738

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents numbered 10 through 156 were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/899,346,

filed July 5, 2001, and, accordingly, copies are not included herewith. Copies of documents numbered 1 through 9 are being submitted herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been

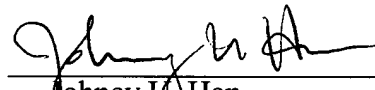
made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 441742001320. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 5, 2002

Respectfully submitted,

By:


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